









DOCKET  
OF THE  
COURT OF APPEALS.

## SUMMER TERM.

## First Day—5th June.

Commonwealth v. Brightman, Lewis.  
Same v. Benningfield, Powell.  
Same v. Smith, Powell.  
Same v. Starnes, &c., Powell.  
Same v. Smith, Carter.  
Same v. Kize, Lawrence.  
Same v. Allen, Meado.  
Same v. Mills, Meado.  
Same v. Chisno, Meado.  
Same v. Myers, Lane.  
Same v. Reed, Nelson.  
Same v. Phelps, Edmonson.  
Same v. Long, Washington.  
Same v. Carter, Marion.  
Same v. Garton, Marion.  
Bowman v. Commonwealth, Marion.  
Tobin v. Same, Franklin.  
Hunter v. Same, Jessamine.  
Thompson v. Same, Fayette.  
Russell v. Same, Shelby.  
Hawkins v. Same, Estill.  
Vallandigham v. Same, Owen.  
Gardright v. Same, Olinthian.  
Curd, &c. v. Same, Whitley.  
DeCoursey v. Same, Campbell.  
Commonwealth v. Morgan, &c., Anderson.  
Same v. Kamp, Nelson.  
Same v. Logan, Garrard.  
Paxton, &c., v. Commonwealth, Nicholas.  
Goin v. Bacon, &c., Franklin.  
Muller v. Lewis, Shelby.  
Morgan's ex'r v. J. Morgan, Shelby.  
Sampson v. Hackworth, Shelby.  
Sampson's adm'r v. Brown, Shelby.  
Robinson v. Kelding, Shelby.  
Polk v. Baird, Shelby.  
McHenry v. Shelby College, Shelby.  
Owen, &c. v. Johnson, &c., Shelby.

## Second Day—6th June.

Helm v. Pettigrew, Shelby.  
Linsford's ex'r v. Ogden, Henry.  
Bridgway v. Williams's ex'r, Henry.  
Fidelity, &c. v. Mills, &c., Spencer.  
Taylor v. McCracken, &c., Madison.  
Ogg v. Ogg, &c., Madison.  
Quinn v. White, Madison.  
Burgess v. Jacobs, Estill.  
Same v. Same, Estill.  
Third Day—7th June.  
Daniel v. Mize, &c., Estill.  
Swift, &c. v. Daniel, Estill.  
Robinson v. Snow, &c., Estill.  
Cobb v. Harris, Estill.  
Harris v. Price, Estill.  
Nowland v. Bowman, Estill.  
Nowland v. Adams, Estill.  
Daniel v. Judy, Estill.  
Alcorn, &c. v. Letcher, &c., Madison.  
Fourth Day—8th June.  
Richardson v. Noland, Madison.  
Burgin v. Shearer, Madison.  
Layne v. Mendenhall, Madison.  
Butler v. Butler, &c., Madison.  
Gill v. Cook's adm'r, Garrard.  
Spilman v. Smith, Garrard.  
Best's ex'r v. Best's devisees, Garrard.  
Robertson v. Salter's ex'r, Garrard.  
Smith v. Brown, Garrard.  
Fifth Day—9th June.  
Wright, &c. v. Arnold, &c., Garrard.  
J. A. Herring v. Same, Garrard.  
D. A. Herring v. Same, Garrard.  
Hopper v. Yantis, &c., Garrard.  
Cobb v. Vaughan, Estill.  
Hunt v. Hunt, Allen.  
W. Hunt v. Same, Allen.  
Doddson v. Clark's ex'r, Warren.  
Hall v. Davidson, &c., Warren.  
Sixth Day—10th June.  
Page v. Murrell, &c., Logan.  
Gossum v. Patterson, Warren.  
Palmer v. Palmer's adm'r, Warren.  
Potts v. Potts, &c., Warren.  
Kelly v. Kelly's adm'r, Warren.  
Garnes' heirs v. Palmer, &c., Warren.  
Same v. Palmer's adm'r, Warren.  
Same v. Lawrence, Warren.  
McLean v. Eaves, Muhlenburg.  
Seventh Day—11th June.  
Dougherty v. Crab, Butler.  
Bank Ky. v. Vanmeter, Butler.  
Greens v. Greens, &c., Lincoln.  
Stimmons v. Feland, &c., Lincoln.  
Miller v. Holey, Lincoln.  
Goode v. Alcorn, Lincoln.  
Goode v. Bradley, Lincoln.  
Lucas' heirs v. Lucas' ex'r, Lincoln.  
Varnum v. Myers, Lincoln.  
Eighth Day—12th June.  
Sweeney v. Owsley, Lincoln.  
Rowton v. Sasseen, Lincoln.  
Sutton v. Sutton's adm'r, Lincoln.  
Southern v. Dunlap, Boyle.  
Woods' ex'r v. Pigg, &c., Casey.  
Damon v. Webb, Casey.  
Reid v. Frye, Casey.  
Hays v. Doolin, Pulaski.  
Barnes v. Barnes' heirs, Pulaski.  
Ninth Day—13th June.  
Warren v. Starnes, Pulaski.  
Warren v. Dicken, Pulaski.  
Curd v. Curd's adm'r, Pulaski.  
Simpson v. Simpson's ex'r, Pulaski.  
Campbell v. Campbell's adm'r, Pulaski.  
Hawkins' adm'r v. Armstrong, &c., Mercer.  
Walton v. Vannoy's ex'r, Knox.  
Gray v. Duncan, &c., Knox.  
Walker v. Kenningham, &c., Knox.  
Tenth Day—14th June.  
Kenningham v. Hays, &c., Knox.  
Disney v. Cullen, &c., Knox.  
White's ex'r v. Woolfolk, &c., Knox.  
Bertin v. Delling, Knox.  
Filiott v. Tuggle, Knox.  
Turner, &c. v. Eve, Knox.  
Barnes, &c. v. Hopper, Knox.  
Brown v. Faulkner, Whitley.  
Garwood v. Watkins, Harlan.  
Eleventh Day—15th June.  
Cornett v. Creech, Harlan.  
Jones v. Brackett, &c., Clay.  
Wickliffe v. Reid, Clay.  
Moore v. Langford, Rockcastle.  
Brannan v. Palmer, Rockcastle.  
Wilson, &c. v. Wickliffe's ex'r, Clarke.  
Balling v. Same, Clarke.  
Milton, &c. v. Jarvis, &c., Clarke.  
Twelfth Day—16th June.  
Pindell v. Same, Clarke.  
Fowler v. Fowler, Clarke.  
Gibson v. Martin, Clarke.  
Green v. Brandenburg's ex'r, Clarke.  
Benning v. Tyson, &c., Clarke.  
Benning, &c. v. Benning's ex'r, Franklin.  
Lindsey v. Rucker, Franklin.  
Irvine v. Wickliffe, Genl. Court.  
Wickliffe v. Irvine, &c., Carter.  
Thirteenth Day—17th June.  
Davis' adm'r v. Dawson's adm'r, Carter.  
Evans v. Carter's adm'r, Carter.  
McGlocklin v. Gilbert, Carter.  
Carter Justices v. Boggs, &c., Carter.  
Bevins v. Cecil, &c., Pike.  
Brown v. Bevin, Pike.  
Leslie v. Compton, Pike.  
Smith's adm'r v. Dill, Pike.  
Fourteenth Day—18th June.  
Sowards v. Walton, Pike.  
Layne v. Kistner, &c., Floyd.  
Kistner v. Garrett's ex'r, Floyd.  
Hatcher's ex'r v. Elliott, Floyd.  
Mayo v. Gearhart, &c., Floyd.  
Moore's adm'r v. Wilson, Owsley.  
Walsh v. Day, Morgan.  
Garretts, &c. v. Morgan, &c., Morgan.  
Fifteenth Day—19th June.  
Perry v. Hensley, Morgan.

Lewis v. Smathers, Morgan.

Hatch v. v. Lusk, Morgan.

Rice v. Rice, Morgan.

Turman v. White's heirs, Lawrence.

Brown, &amp;c. v. King, Greenup.

Dorch v. Gray, &amp;c., Greenup.

Crooks v. Bringer, Bath.

Sixteenth Day—22d June.

Tribble v. Hays' ex'r, Bath.

Tassie v. Smith, Bath.

Satterfield v. Collier, &amp;c., Bath.

Proctor v. Walker, Bath.

Berry v. Everett, Bath.

Hopper v. McKinnivan, Bath.

Thomas v. Conner, Bath.

Wells, &amp;c. v. Williams, &amp;c., Bath.

Seventeenth Day—23d June.

Desha v. Rogers, &amp;c., Montgomery.

Hark v. Clark, &amp;c., Montgomery.

Willoughby v. Alexander, Montgomery.

Cooms v. Deaty, Montgomery.

Beatty (color) v. Coons, Montgomery.

Young v. Gilky, Montgomery.

Johnson v. Cromwell, Montgomery.

Cluke v. Smith, Montgomery.

Eighteenth Day—24th June.

Daniel v. Daniel, Montgomery.

Gentry v. Spratt's ex'r, Montgomery.

Anderson (color) v. Crawford, &amp;c., Mont-

gomery.

Aldop's adm'r v. Aldop's heirs, Mercer.

Wiley v. Clark, &amp;c., Mercer.

Blanton v. Sewell, &amp;c., Harlan.

Murphy v. Sampson, Anderson.

Tinsley v. Tinsley, &amp;c., Anderson.

Nineteenth Day—26th June.

McBryer v. Bond, Anderson.

Hale v. Morgan, Anderson.

Searcy, &amp;c. v. Buckner, &amp;c., Anderson.

Happ v. Sacy, &amp;c., Franklin.

Middleton, &amp;c. v. Rice, &amp;c., Franklin.

Bates v. Scott, Franklin.

O'Hara's adm'r v. Price, &amp;c., Franklin.

Waller v. Combs, Carroll.

Twentieth Day—27th June.

Yancy v. Ford, Gallatin.

Barbour v. Berry, Oldham.

Bruce v. Morrison, Lewis.

Same v. Same, Lewis.

Boyle's adm'r v. Same, Lewis.

Frank v. Thompson, Bracken.

Lina v. Sims, &amp;c., Bracken.

Twenty-first Day—28th June.

Rice v. Patterson, Bracken.

Rice v. Coleman, &amp;c., Bracken.

Culp v. Blayles, Bracken.

Luman v. Stewart, &amp;c., Fleming.

Walker, &amp;c. v. Anderson, &amp;c., Fleming.

Johnson v. Hunt, &amp;c., Fleming.

Holliday v. Gill, Fleming.

Phillips v. McAllister, Fleming.

Twenty-second Day—29th June.

Anderson, &amp;c. v. Browning, &amp;c., Fleming.

Jackson v. Jackson, Fleming.

Newkirk v. Gill, &amp;c., Fleming.

Quaintance v. White &amp; Co., Fleming.

Maysville Rail Road v. Gehhart, Mason.

Smith v. Kelly, Mason.

Cooper v. Power, Mason.

Key, &amp;c. v. Rogers, &amp;c., Mason.

Twenty-third Day—30th June.

Maysville Turnpike v. Howe, Mason.

Kilgore v. Bracken Turnpike, Mason.

Cincinnati Bank v. Lee's Trustees, Mason.

Walton's adm'r v. Washington, Mason.

Newkirk v. Dills, Mason.

Chandler v. Wallingford, Mason.

Blacky's Germanstown Turnpike, Bracken.

Mayhugh v. Mayhugh, Mason.

Twenty-fourth Day—1st July.

Lewis v. Greathouse, Mason.

Kern v. Langhorne, &amp;c., Mason.

Snapp v. Royce, Nicholas.

Mayhugh v. Sampson, Nicholas.

Duncan v. Campbell, Nicholas.

Duncan v. Thompson, &amp;c., Bourbon.

Duncan v. Lytle's adm'r, Bourbon.

Maysville Turnpike v. Paris Trustees, Bourbon.

Twenty-fifth Day—2d July.

Rodes v. Rodes, Fayette.

McCourt's v. McCourt's heirs, Fayette.

Scott v. Wickliffe, Fayette.

Wickliffe v. O'Bannon's adm'r, Fayette.

Robert, &amp;c. v. Ater, &amp;c., Fayette.

Styre v. Bascom, Fayette.

Robinson's heirs, Fayette.

Payne v. M. Lear, &amp;c., Fayette.

Twenty-sixth Day—3d July.

Gibson v. Charlton, Fayette.

Ennis v. Wickliffe, Fayette.

Vandalism's Trust v. Newland, &amp;c., Fayette.

Shipp, &amp;c. v. Bryant's ex'r, Fayette.

Miller v. Ellis, &amp;c., Scott.

Burbridge, &amp;c. v. Same, Scott.

Smith v. Glass, Scott.

Joues' heirs v. Green, &amp;c., Scott.

Twenty-seventh Day—4th July.

Risk v. Ireland, Scott.

Alger v. Madison, Scott.

Evans v. Thordson's ex'r, Woodford.

Koson v. Fletcher, &amp;c., Jessamine.

Cleaveland v. Matthews, Jessamine.

Bradley v. Rhorer, &amp;c., Jessamine.

Wilmore v. Wilmore, Jessamine.

Gaines v. Coleman's adm'r, Court Appeals.

Twenty-eighth Day—5th July.

Marr v. McCollin, &amp;c., Taylor.

Mull v. Crall, Taylor.

Withrow v. Young's ex'r, Marion.

Miller v. Smith, Marion.

Chelf v. Simpson, Marion.

Langdon v. Jarboe, Marion.

Dyer v. Fleece, &amp;c., Marion.

Simms v. Wayne, Marion.

Twenty-ninth Day—6th July.

Sweeney v. Harlin's ex'r, Marion.

Hood v. Reed, Marion.

Julian v. Sansberry, Washington.

Dolin v. Hays, Washington.

Webster v. Graves, &amp;c., Washington.

Farris' adm'r v. McDonald, Washington.

Denny v. Wickliffe, Washington.

Graves v. Boles, Washington.

Thirtieth Day—7th July.

Hawkins' heirs v. Jones, &amp;c., Washington.

Price, &amp;c. v. Price's heirs, Nelson.

McDonald's ex'r v. Wilson, Nelson.

Nesbit v. Thompson, &amp;c., Spencer.

McDonald v. McDonald, Spencer.

Robertson v. McDonald, Spencer.

Guthrie v. Healy, Spencer.

Crane v. Lynch's heirs, Harlan.

Thirty-first Day—8th July.

Rawling's ex'r v. Ann, Harlan.

Brown v. Hornbeck, Harlan.

Dugan v. Goughen, Harlan.

Taber's adm'r v. Harlan, Harlan.

Same v. Same, Harlan.

Carter v. Conway, Harlan.

Wintersmith v. Owens, &amp;c., Green.

Woods' heirs v. Hunt, Hart.

Thirty-second Day—11th July.

Wagener v. Cobb, Hart.

Same v. Same, Hart.

Same v. Carter, Hart.

Taylor v. Cradlock, Hart.

Dowell v. Mills, Meade.

Robertson v. Jones' adm'r, Meade.

Morgan's heirs v. Cris's heirs, Meade.

Thirty-third Day—12th July.

Crutcher v. Vowles' adm'r, Meade.

Woodward v. Hoover, Marshall.

Newman v. Snyder, Marshall.

Same v. Berryman, Marshall.

McCawley v. Patterson, &amp;c., Livingston.

Phillips' heirs v. Jamison, Livingston.

Magness v. Dailey, Jefferson.

Thirty-fourth Day—13th July.

Alexander v. Hyman, Jefferson.

Fisher v. Stevens, Jefferson.

Woodrow v. Rodes, Jefferson.

Blankenbaker v. Blankenbaker, Jefferson.

McArthur v. Hotchchild, &amp;c., Jefferson.

Jackson &amp; Co. v. Thompson, Jefferson.

McKinn v. Claggett, Jefferson.

Thirty-fifth Day—14th July.

Boutillier v. Heywood, Jefferson.

Perry v. Hensley, Jefferson.

Ricketts v. Foree, Jefferson.

Wells v. Park, &amp;c., Jefferson.

Dorch v. Gray, &amp;c., Jefferson.

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